IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

RP.No. 122 of 2007(H)

AGAINST THE JUDGEMENT/ORDER IN WPC.1544/2006 Dated 01/12/2006

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PETITIONER IN WRIT PETITION.

A.M.YOHANNAN, AGED 60 YEARS,S/O.LATE MA-
THAI, PROPRIETOR, IDEAL HOLIDAY INN, LIDAY INN,
BUILDING NO.X/129, KOVALAM JUNCITION, KOVALAM P.O
THIRUVANANTHAPURAM 27.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS: RESPONDENT IN WRIT PETITION.

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1. STATE OF KERALA, REPRSENTED BY THE
SECRETARY, TAXES (A) DEPARTMENT,
THIRUVANANTHAPURAM.

2. THE COMMISSIONER OF EXCISE,
EXCISE COMMISSIONERATE,
THIRUVANANTHAPURAM.

3. THE ASST. EXCISE COMMISSIONER,
THIRUVANANTHAPURAM.

4. THE CIRCLE INSPECPTOR OF EXCISE,
THIRUVANANTHAPURAM DISTRICT.

BY GOVERNMENT PLEADER SMT. SMITHA

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION
ON 06/03/2007, ALONG WITH RP 134 OF 2007 THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

R.P.Nos. 122 & 134 OF 2007

Dated this the 6th day of March, 2007

O R D E R

Review Petitions are filed on the ground that petitioners are denied Beer Parlour licence based on certificate issued by the local authority while four licences are granted in the same area based on similar certificates issued by the local authority. Government Pleader rightly pointed out that if wrong thing is done in the case of others, the same will not justify this Court to issue direction in petitioners' case also to repeat the mistake. In the circumstances, I dispose of the Review Petitions with direction to the Commissioner of Excise to recall or refuse to grant renewal of licences, if wrongly issued, as pointed out by the petitioners or if similar certificates produced by others are accepted, and licences are renewed based on the same for next year also, then there will be direction to the Commissioner of Excise to accept the certificates produced by the petitioners and grant licence to them also.

(C.N.RAMACHANDRAN NAIR)
Judge